

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. APPLN NO.: 09/822,838

REMARKS

Claims 1-11 are pending in the application.

The specification is objected to under 35 U.S.C. § 132 for adding new matter. Claims 1-11 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, the enablement requirement. Claims 1-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 1, 3-5 and 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Nakagawa (U.S. Patent No. 5,291,282; hereinafter "Nakagawa") and Katsuyama (U.S. Patent No. 6,771,813; hereinafter "Katsuyama"). Claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Nakagawa and Katsuyama as applied to claim 1 above, and further in view of Acharya (U.S. Patent No. 6,574,374). Applicant submits the following in traversal of the objections to the specification and the rejections of the claims.

Objection to the Specification and Rejection of Claims 1-11 under § 112

Applicant respectfully submits that claims 1-11 comply with the written description requirement and the enablement requirement under § 112. To clarify the invention and to resolve the rejections under § 112, Applicant conducted a telephonic interview on March 24, 2005, with Brian Q. Le and Samir Ahmed, Primary Examiner, as memorialized in the Interview Summary mailed March 25, 2005. During the interview, Primary Examiner Ahmed suggested replacing "while" with "if" to overcome the § 112 rejections. The Interview Summary indicates that an agreement was reached that changing the claim language of "while" to "if" or "whether" in claim 1 would eliminate the rejections under § 112, first and second paragraphs.

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Subsequently, in the Amendment of April 4, 2005, claims were amended by replacing "while" with "if" in the claims, as suggested by Primary Examiner Ahmed. Therefore, Applicant requests the Examiner to withdraw the rejection of claims 1-12 under § 112, first paragraph.

Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-12 under § 112, second paragraph. In the Amendment of February 3, 2005, Applicant provided an explanation of "pattern quantizing value" on pages 3-4. In the Examiner's Comments in the Advisory Action of March 1, 2005, the Examiner noted that "Applicant's remarks regarding pattern quantizing value is considered persuasive. Thus, the Objection to the drawings and the rejections regarding the term 'pattern quantizing value' under 35 U.S.C. § 112, first and second paragraph [sic] have been withdrawn." Hence, claims 1-11 satisfy § 112, second paragraph.

Rejection of Claims 1, 3-5, and 9-11 under § 103(a) over Nakagawa and Katsuyama

Claim 1 is believed to be patentable because Nakagawa and Katsuyama fail to teach, suggest, or provide motivation for all elements of the claim, as shown in the arguments in the Amendment of February 3, 2005. For example, Nakagawa and Katsuyama fail to teach, suggest, or provide motivation for increasing a threshold value if a pattern quantizing value is retained, and denoising the decomposed data, in combination with other elements of the claim. As previously noted by the Applicants, the sections of Nakagawa cited by the Examiner disclose that check processing is performed until "the amount of codes *approaches* close enough to the target amount of codes by the check processing." Col. 30, lines 63-65 (emphasis added). In other words, the criteria for repetitively performing check processing is if a certain number approaches a target number. This, however, is entirely different from increasing a threshold value if a pattern quantizing value is retained.

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Therefore, for the above reasons, claim 1 is believed to be patentable.

For reasons similar to those submitted for the patentability of claim 1, claims 5, 9, and 10 are believed to be patentable.

Claims 3, 4, and 11, which depend from claim 1, and claims 7 and 8, which depend from claim 5, are believed to be patentable for the reasons submitted for claims 1 or 5.

Rejection of Claims 2 and 6 under § 103(a) over Nakagawa, Katsuyama, and

Acharya

Claims 2 and 6, which depend from claims 1 and 5, respectively, are believed to be patentable for at least the reasons submitted for claim 1 and because Acharya fails to make up for the deficiencies of Nakagawa and Katsuyama.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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